



DEPARTMENT OF THE ARMY
UNITED STATES ARMY, EUROPE, AND SEVENTH ARMY
UNIT 29351
APO AE 09014-9351

AEAJA-MC

15 April 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army in Europe Command Policy Letter 31, Victim/Witness Assistance Program

1. References:

- a. DOD Directive 1030.1, Victim and Witness Assistance, 23 November 1994.
- b. DOD Instruction 1030.2, Victim and Witness Assistance Procedures, 23 December 1994.
- c. AR 27-10, Military Justice (chapter 18), 6 September 2002.

2. Victim/witness assistance programs protect the lives and property of members of the military community and the general public. They also help victims and witnesses of crimes. The goals of these programs are to—

- a. Reduce the physical, psychological, and financial hardships suffered by victims and witnesses of offenses investigated by the Army.
- b. Foster the full cooperation of victims and witnesses within the military criminal justice system.
- c. Ensure that victims and witnesses of crimes are advised of and given the rights prescribed by law and Army regulations.

3. Staff Judge Advocates (SJAs) in the European theater are responsible for implementing and supervising victim/witness assistance programs within their general court-martial jurisdictions. SJAs will designate, in writing, one or more victim/witness liaisons to administer these programs. Victim/witness liaisons, along with victims' advocates, will serve as POCs through which victims and witnesses may get information and assistance in obtaining victim/witness services. Victim/witness liaisons will also provide information to victims and witnesses at the earliest possible time about significant events during the investigation, prosecution, and punishment of a crime.

4. An effective victim/witness assistance program must be multidisciplinary. Everyone has a role in helping the victims and witnesses of crimes. Chaplains; corrections and confinement facility personnel; family advocacy and family services personnel; health-care services personnel, including victims' advocates; investigative and law-enforcement personnel; SJAs and other legal-services personnel; and unit commanding officers and noncommissioned officers must be actively involved in the program.

5. Victims' advocates are an active voice in the community on behalf of victims of sexual assaults. The medical treatment facility social worker on call will serve as the victim's advocate for all sexual assault victims who show up at the emergency room. The goals of the social worker on call are to—

- a. Establish a therapeutic relationship with the patient and offer assistance as a helper and advocate in an empathetic, nonjudgmental, and supportive atmosphere.

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b. Help the patient regain control of his or her own body by explaining examination procedures and emphasizing the reasons for performing the examination, but ultimately allowing the patient to make decisions about immediate treatment and procedures. The social worker on call will offer to remain with the patient to provide support until all the procedures are completed and a disposition satisfactory to the patient is arranged.

c. Help the patient with practical matters, such as notification of family, if desired; transportation; change of clothing; admission procedures; and other needs.

d. Arrange for a follow-up appointment with Social Work Service personnel the following day or as soon as the patient is available.

e. Help develop an individualized, long-term mental and physical health-care plan.

f. Maintain a supportive role as the victim's advocate for as long as the victim requires care.

6. Commanders will ensure their personnel are familiar with the *DOD Victim and Witness Bill of Rights*, under which victims and witnesses of crimes have the following rights:

a. The right to be treated with fairness, dignity, and a respect for privacy.

b. The right to be reasonably protected from the accused offender.

c. The right to be notified of court proceedings.

d. The right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial, or for other good cause.

e. The right to confer with the attorney for the Government in the case.

f. The right to restitution, if appropriate.

g. The right to information regarding the conviction, sentencing, imprisonment, and release of the offender from custody.

7. Victim/witness assistance programs provide valuable services to victims and witnesses of crimes. Commanders will ensure that their personnel are aware of these programs.



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